

KELLEY DRYE & WARREN
JONATHAN COOPERMAN (*Pro hac vice* application pending)
ELANA GLATT (*Pro hac vice* application pending)
101 Park Avenue
New York, NY 10178-0002
Telephone: (212) 808-7800
Facsimile: (212) 808-7897
jcooperman@kelleydrye.com

BUCHALTER NEMER
A Professional Corporation
RICHARD C. DARWIN (SBN: 161245)
333 Market Street, 25th Floor
San Francisco, CA 94105-2126
Telephone: (415) 227-0900
Facsimile: (415) 227-0770
rdarwin@buchalter.com

Attorneys for Plaintiff
RAND INTERNATIONAL, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RAND INTERNATIONAL, INC.,

Plaintiff,

v.

LUCASFILM LTD.,

Defendant.

CASE NO.

**DECLARATION OF JOANNA WRIGHT
IN FURTHER SUPPORT OF PLAINTIFF'S
EX PARTE MOTION FOR
(1) TEMPORARY RESTRAINING
ORDER; AND
(2) ORDER TO SHOW CAUSE RE:
PRELIMINARY INJUNCTION**

Date of Filing: No Date Set

1. I am a paralegal at the law firm of Kelley Drye & Warren LLP, which represents Plaintiff Rand International, Inc. ("Rand International"). I make this Declaration in further support of Rand International's Application For a Preliminary Injunction and Temporary Restraining Order. I have personal knowledge of the facts stated below.

2. On August 20, 2008, I went to the Manhattan Toys-R-Us store located in Times Square at 1514 Broadway in New York, New York.

1 3. At the Toys-R-Us, I asked a salesperson to search the store's inventory for
2 any products manufactured by Rand International sold at that store. According to the salesperson,
3 eight (8) Rand International products are listed in the Manhattan store database, one of which is
4 an 18" Strawberry Shortcake Bike. The only item currently in stock was a Spider-Man inflatable
5 swim ring. A copy of this Toys-R-Us inventory query is attached as Exhibit A.

6 4. In addition, I searched for Rand International products on Toys-R-Us'
7 website and found that Toys-R-Us Canada is currently selling two Rand International products on
8 their website (www.toysrus.ca). One is a 14" BMX Spider-Man 3 Bike, the other is a 31" Spider-
9 Man Skateboard. A copy of these webpages is attached as Exhibit B.

10 5. I declare under the penalty of perjury pursuant to 28 U.S.C. § 1746 that the
11 foregoing is true and correct.
12

13
14 Executed on August 20, 2008

By: 

Joanna Wright

EXHIBIT A

Page 1 of 1

Application: SIS - 6423
 Date: 08/20/2008 11:41:00 EDT

Hardline Item Inquiry List

* = Key Item
 S=Stop Sale Item
 N/A = Item not carried in store

Item	Description	Resource	Dept/Class	World	Retail	Back		Floor
						Avail	UnAvail	
888570	SPIDERMAN ARM FLOATS	RAND INTL LEISU	62/10	SEASONAL	\$2.99	0	0	17
888608	SPIDERMAN SURFER	RAND INTL LEISU	62/10	SEASONAL	\$1.98	0	0	13
94590	SPIDERMAN WATER GUN	RAND INTL LEISU	62/16	SEASONAL	\$1.48	0	0	12
222876	AQUA NOODLE HAMMOCK	RAND INTL LEISU	62/1	SEASONAL	\$6.99	0	0	9
919074	SPIDERMAN BEACH BALL	RAND INTL LEISU	62/10	SEASONAL	\$1.48	0	0	7
444418	18 INCH STRAW SHORTCAKE BI	RAND INTL LEISU	71/28	WHEELS	\$8.00	0	0	0
717255	LITTLE TIKES SKATES	RAND INTL LEISU	84/1	WHEELS	\$5.98	0	0	-1
948265	SPIDERMAN SWIM RING	RAND INTL LEISU	62/10	SEASONAL	\$1.98	0	0	-12

Exit

EXHIBIT B

[Email Signup](#) | [Sign In](#) | [Wishlist](#) | [Shopping](#)

BABIES R US

Search:

All Products

LEARNING TOYS

GAMES & PUZZLES

OUTDOOR

VIDEO GAMES

CLEARANCE

BABIES

TODAY ONLY \$7.47 REGULAR: \$14.99
CARS THE MOVIE - PISTON CUP PIT STOP**WEB WEDNESDAY**
WHILE SUPPLIES LAST[Home](#) > [Outdoor](#) > [Bikes, Ride-Ons & More](#) > [Bikes](#) > [14 to 18 inch Bikes](#) > [14" BMX Spider-Man 3](#) **PRODUCT ZOOM**

14" BMX Spider-Man 3

by: [Rand International](#)

Recommended for a 41 cm to 51 cm inseam. To measure your inseam stand straight and flat footed on the floor. Use a measuring tape to get the length of your inside leg measurement, or inseam. Spider-Man is back in a new feature film this summer. Boys will love riding this Spider-man themed bike as they use their Spidey sense to rid the neighbourhood of villains!....(read more)

Availability: In stock, usually leaves warehouse in 1 - 2 full bus. days. - (details)

Customer Rating

(0 Ratings)

Be the first to Rate and Review this Item

product information

Features

- Heavy duty steel construction
- Wide training wheels
- Adjustable seat & handle bars
- Padded seat & kicks tand

Product Description

Recommended for a 41 cm to 51 cm inseam. To measure your inseam stand straight and flat footed on the floor. Use a measuring tape to get the length of your inside leg measurement, or inseam. Spider-Man is back in a new feature film this summer. Boys will love riding this Spider-man themed bike as they use their Spidey sense to rid the neighbourhood of villains!

Language: Bilingual

Shippable to Quebec: Yes

SKN Number: 437247

Website

Qty:

1

ADD IT

ADD TO

EN

RELATED IT

☐ Include to cart

ADD IT

Product UID: F80F0416

UPC/EAN/ISBN: 038798008625

Manufacturer #: SPM1448

PRODUCT REVIEWS SUMMARY

Be the first to Rate and Review this Item

[Affiliates](#) | [Store Locator](#) | [Your Account](#) | [About Us](#) | [Track My Order](#) | [Shipping](#) | [Returns](#) | [Help](#) | [Contact Us](#) | [Site Map](#)

Shop by Phone 1-800-TOYSRUS | All prices in Canadian dollars. Prices may vary in store.

© 2008 Toys "R" Us (Canada) Ltd. All Rights Reserved.

Use of this site signifies your acceptance of Toys"R"Us Website [Terms and Conditions](#) and [Privacy Policy](#).

Toys"R"Us around the world:

GO



[Email Signup](#) | [Sign In](#) | [Wishlist](#) | [Shopping](#)

Search:

[LEARNING TOYS](#)[GAMES & PUZZLES](#)[OUTDOOR](#)[VIDEO GAMES](#)[CLEARANCE](#)[BABIES](#)**TODAY ONLY \$7.47** REGULAR: \$14.99
CARS THE MOVIE - PISTON CUP PIT STOP**WEB WEDNESDAY**
WHILE SUPPLIES LAST[Home](#) > [Outdoor](#) > [Bikes, Ride-Ons & More](#) > [Bikes](#) > [14 to 18 inch Bikes](#) > [14" BMX Spider-Man 3](#)

31" Spider-Man - Skateboard

by: [Rand International](#)

Cruise the streets with your friendly neighbourhood Spider-Man!....(read more)

Availability: In stock, usually leaves warehouse in 1 - 2 full bus. days.- (details)

Customer Rating

(1 Rating)

[Rate and Review this Item](#) [Read 1 Review](#)[PRODUCT ZOOM](#)

Website

Qty:

[ADD IT](#)[ADD TO](#)[EN](#)

product information

Product Description

Cruise the streets with your friendly neighbourhood Spider-Man!

Language: Bilingual**Our Recommended Age:** 8 - 10 years (details)**Shippable to Quebec:** Yes**SKN Number:** 179493**Product UID:** F80D9C16**UPC/EAN/ISBN:** 038798025196**Manufacturer #:** SP2000**PRODUCT REVIEWS SUMMARY** (Powered by [PowerReviews.com](#))[Print All Reviews](#)

Avg. Customer Rating:**(based on 1 review)**

Already own it? Rate and Review this Item

Displaying Review 1 of 1

DisappointingBy **E-shopper mom** from **Gatineau, QC** on **7/31/2008****Pros:** Shipping was quick**Cons:** Lacking in decoration**Describe Yourself:** Beginner**Bottom Line:** No, I would not recommend this to a friend

This product was disappointing as the spiderman decorations are only on the bottom of the board. The top of the board is solid black. Defeats the purpose given the age range that it is intended for. Let's face it no one goes out of their way to get a board that is only half decorated. My son waited with great anticipation and the disappointed look on his face meant that sadly, it would be returned. I expect that kind of thing from thrift stores, not from Toysrus.

Was this review helpful to you? Yes/No - Report this review as inappropriate.

Displaying Review 1 of 1

[Affiliates](#) | [Store Locator](#) | [Your Account](#) | [About Us](#) | [Track My Order](#) | [Shipping](#) | [Returns](#) | [Help](#) | [Contact Us](#) | [Site Map](#)

Shop by Phone 1-800-TOYSRUS | All prices in Canadian dollars. Prices may vary in store.

© 2008 Toys "R" Us (Canada) Ltd. All Rights Reserved.

Use of this site signifies your acceptance of Toys "R" Us Website Terms and Conditions and Privacy Policy.

Toys "R" Us around the world:

Select a country

GO

